

401 N. Middletown Road  
Pearl River, New York 10965

# Wyeth

Date: October 24, 2005

Number of pages (including cover): 9

To: Karen R. McLean  
U.S. Patent and Trademark Office

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From: Carol E. Rozek

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Remarks: See attached

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International Division

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Docket No: AM101242  
Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re of Application of: Allikmets, et al.  
Application No.: 10/583,014 Group No.:  
Filed: December 10, 2004 Examiner:  
For: SERUM-FREE VERO CELL BANKING PROCESS  
Confirmation No.: 9750  
Customer Number: 25291

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this and the below-identified document(s) are being facsimile transmitted to the U.S. Patent and Trademark Office at facsimile number 571-270-9873 on November 16, 2006:

Documents:

1. Petition for Revival of an Application for Patent Abandoned Unintentionally
2. Copy of your form PCT/DO/EO/909 (371 Abandonment Notice)
3. DO/EO Worksheet
4. Certificate of Express Mail dated June 15, 2006
5. Form PTO-1390

Carol E. Rozek

Type or print name of person  
signing certification

Carol E. Rozek  
Signature

11/16/06  
Date

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/583,014  
Int'l Filing Date: December 10, 2004  
Applicant : Allikmets, et al.  
TC/A.U. :  
Examiner :  
Docket No. : AM101242  
Customer No. : 25291

Confirmation No. 9750

November 16, 2006

Attn: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION FOR REVIVAL OF AN APPLICATION  
FOR PATENT ABANDONED UNINTENTIONALLY**

Sir:

A Notification of Abandonment mailed on October 2, 2006 was received by this office on November 14, 2006. The reason for the abandonment is that Applicant allegedly failed to provide the full U.S. Basic National Fee by 30 months. "Upon entering deposit account number 01-1435 (as provided on the transmittal letter), our accounting system returned an error message stating that the deposit account number was 'Not Found.'" (See attachment.)

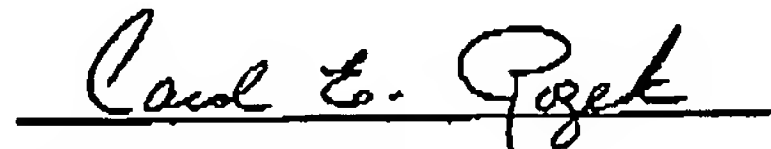
Reviewing the transmittal letter, the deposit account number was, in fact, entered incorrectly as 01-1435 instead of 01-1425. Nonetheless, Applicant's customer number (25291) on the certificate of express mail and my phone number on the transmittal letter (845-602-4760) were readily available to the Patent Office to resolve this matter without resorting to issuing a Notice of Abandonment. (See attachment.) Tracing Applicant's customer number or making a simple phone call would have quickly identified the error as a typographical error.

Page 1 of 2

Application No. 10/583,014  
Response dated November 16, 2006  
Response to Notice of Abandonment mailed 10/2/06

Therefore, since Applicant unintentionally made an error in the deposit account number typed on the transmittal letter -- the correct number being **01-1425** -- Applicant respectfully requests that the above-identified application be revived, that the basic national fee be charged to deposit account number **01-1425**, and that Applicant not be charged a fee for this petition.

Respectfully submitted,



Carol E. Rozek  
Reg. No. 36,993

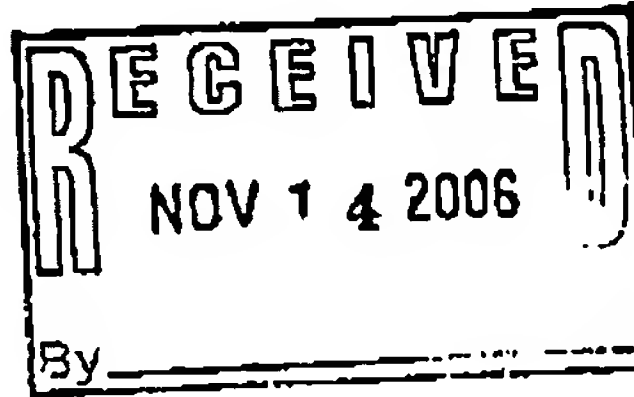
Wyeth  
Patent Law Department  
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Madison, NJ 07940  
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UNITED STATES DEPARTMENT OF COMMERCE  
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P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/583,014	Ene Allikmets	AM101242

25291  
WYETH  
PATENT LAW GROUP  
5 GIRALDA FARMS  
MADISON, NJ 07940



INTERNATIONAL APPLICATION NO.	
PCT/US04/41801	
LA. FILING DATE	PRIORITY DATE
12/10/2004	12/19/2003

CONFIRMATION NO. 9750

371  
ABANDONMENT/TERMINATION  
LETTER

\*OC000000020661609\*

Date Mailed: 10/02/2006

### NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to provide the full U.S. Basic National Fee by 30 months (37 CFR 1.495(b)(2)).
- Upon entering deposit account number 01-1435 (as provided on the transmittal letter), our accounting system returned an error message stating that the deposit account was "Not Found".

U.S. PATENT AND TRADEMARK OFFICE

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

KAREN R MCLEAN

Telephone: (703) 308-9140 EXT 214

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/908 (371 Abandonment Notice)

**DO/EO WORKSHEET**

Karen McLean, Patent Application Specialist/ National Stage Division

U.S. Appl. No. 101 583014International Appl. No. PCT/US04/41801Application filed by : ☐ 20 months ☒ 30 months**WIPO PUBLICATION INFORMATION :**Publication No.: WO2005/066332Publication Language : ☒ English ☐ German ☐ Japanese ☐ Chinese ☐ Korean  
☐ French ☐ Spanish ☐ Russian ☐ Other : \_\_\_\_\_Publication Date : 21 July 2005Not Published : ☐ U.S. only designated ☐ EP requestPublished : ☒ EP request**INTERNATIONAL APPLICATION PAPERS IN THE APPLICATION FILE :**

- ☒ International Application (RECORD COPY)  
☐ Article 19 Amendments  
☐ PCT/PEA/409 IPR : ☐ EP ☐ JP ☐ SE ☐ AU  
☐ US ☐ FR ☐ CN ☐ ES ☐ RU ☐ AT ☐ KR ☐ \_\_\_\_\_

☐ Annexes to 409

- ☐ PCT/ISA/237 : ☐ EP ☐ JP ☐ SE ☐ AU  
☐ US ☐ FR ☐ CN ☐ ES ☐ RU ☐ AT ☐ KR ☐ \_\_\_\_\_

☒ PCT/PEA/409 or PCT/ISA/237 was NOT AVAILABLE at the time of paralegal review☐ PCT/IB/306☐ Request form PCT/RO/101☒ PCT/ISA/210 - Search Report : ☒ EP ☐ JP ☐ SE ☐ AU  
☐ US ☐ FR ☐ CN ☐ ES ☐ RU ☐ AT ☐ KR ☐ \_\_\_\_\_ ☐ NONE☐ Search Report References☒ Priority Document (s) No. 1☐ N/A☐ Priority Document was NOT AVAILABLE at the time of paralegal review☐ Other : \_\_\_\_\_**RECEIPTS FROM THE APPLICANT (other than checked above) :**☒ Basic National Fee (or authorization to charge)☒ Description ☒ Claims ☒ Abstract☒ Drawing Figure(s) - (# of dwgs. 5)☐ Translation of Article 19 Amendments☐ entered ☐ not entered :

- ☐ not a page for page substitution  
☐ replaced by Article 34 Amendment

☐ Annexes to 409☐ entered ☐ not entered :

- ☐ not a page for page substitution  
☐ no translation ☐ other : \_\_\_\_\_

☒ Application Data Sheet☐ Power of Attorney☐ Change of Address☒ Preliminary Amendment(s) Filed on :1. ☒ same as 371 request date 2. \_\_\_\_\_ 3. \_\_\_\_\_☐ Information Disclosure Statement(s) Filed on :1. ☐ same as 371 request date 2. \_\_\_\_\_ 3. \_\_\_\_\_☐ Assignment Document (forwarded to Assignment Branch)☐ Assignee Statement Under 37 CFR 3.73(b)☐ Assignee PG Publication Notice☐ Substitute Specification Filed on :1. ☐ same as 371 request date 2. \_\_\_\_\_ 3. \_\_\_\_\_☐ Verified Small Status Statement☒ Oath/ Declaration (executed)☐ Oath/ Declaration ☐ unsigned ☐ no citizenship ☐ other☐ DNA Diskette ☐ Sequence Listing☐ Other : \_\_\_\_\_NOTES : ☒ LA used as Specification ☐ Other :

35 U.S.C. 371 - Receipt of Request (PTO-1390)

mo. 61 day 151 yr. 2006

Date Acceptable Oath/ Declaration Received

☒ Same as 371 Req. Date; ☐ mo. 1 day 1 yr. 200

Date of Completion of requirements under 35 U.S.C. 371

☒ Same as 371 Req. Date; ☐ Same as OATH Date; ☐ mo. 1 day 1 yr. 200

Date of Completion of DO/EO 903 - Notification of Acceptance

Date of Completion of DO/EO 905 - Notification of Missing Requirements

Date of Completion of DO/EO 909 - Notification of Abandonment

9/30/2006 (Deposit Accr. "NOT FOUND")

Date of Completion of DO/EO 916 - Notification of Defective Response

Date of Completion of DO/EO 922 - Notification to Comply w/ Requirements for Patent

Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures

Date of Completion of DO/EO 923

Docket No: AM101242  
PatentIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re of Application of: Allikmets, et al.  
Application No.: (To be assigned) Group No.:  
Filed: December 10, 2004 Examiner:  
For: SERUM-FREE VERO CELL BANKING PROCESS  
Confirmation No.:  
Customer Number: 25291

CERTIFICATE OF EXPRESS MAIL

"Express Mail" Mailing Label No.: ER672185141US  
Date of Deposit: June 15, 2006

I hereby certify that this and the below-identified document(s) are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR Section §1.10 on the Date of Deposit indicated above in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450:

## Documents:

1. Form 1390
2. Preliminary Amendment
3. Combined Declaration and Power of Attorney
4. Specification with Drawings
5. An Application Data Sheet

Carol E. Rozek

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Type or print name of person  
signing certification*Carol E. Rozek*

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Signature

6/15/06

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Date



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		<b>ATTORNEY'S DOCKET NUMBER</b> AM101242
<b>INTERNATIONAL APPLICATION NO.</b> PCT/US2004/041801		<b>U.S. APPLICATION NO. (If known, see 37 CFR 1.5)</b> (To Be Assigned)
<b>INTERNATIONAL FILING DATE</b> 10 December 2004		<b>PRIORITY DATE CLAIMED</b> 19 December 2003
<b>TITLE OF INVENTION</b> SERUM-FREE VERO CELL BANKING PROCESS		
<b>APPLICANT(S) FOR DO/EO/US</b> ALLIKMETS, E. et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of Items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of Items concerning a submission under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include Items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input checked="" type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).  <b>Items 11 to 20 below concern document(s) or information included:</b> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Page 1 of 3



U.S. APPLICATION NO. (if known, see 37 CFR 1.5) (To Be Assigned)		INTERNATIONAL APPLICATION NO. PCT/US2004/041801		ATTORNEY'S DOCKET NUMBER AM101242	
20. Other items or information:					
The following fees have been submitted				CALCULATIONS PTO USE ONLY	
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... \$300				\$ 300.00	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))				\$ 200.00	
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0					
All other situations..... \$200					
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))				\$ 400.00	
If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... \$0					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100					
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... \$400					
All other situations..... \$500					
TOTAL OF 21, 22 and 23 =				900.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(g)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	11 - 20 =	-0-	x \$ 50	\$ -0-	
Independent claims	2 - 3 =	-0-	x \$200	\$ -0-	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ -0-	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
SUBTOTAL =				\$ 900.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
TOTAL NATIONAL FEE =				\$ 900.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ -0-	
TOTAL FEES ENCLOSED =				\$ 900.00	
				Amount to be refunded:	\$
				Amount to be charged	\$ 900.00

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- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 01-1435 in the amount of \$ 900.00 to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. \_\_\_\_\_. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

## SEND ALL CORRESPONDENCE TO:

Wyeth  
Patent Law Department  
Five Giralda Farms  
Madison, NJ 07940  
Tel. No. (845) 602-4760



SIGNATURE

Carol E. Rozek

NAME

#36,993

REGISTRATION NUMBER